



DEPARTMENT OF COMMERCE

International Trade Administration

[A-122-863]

Large Diameter Welded Pipe from Canada: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2018-2020

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) determines that the producers or exporters subject to this administrative review made sales of large diameter welded pipe from the Canada in the United States at prices below normal value (NV) during the period of review (POR), August 27, 2018, through April 30, 2020.

DATES: Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Irene Gorelik, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-6905.

SUPPLEMENTARY INFORMATION:

Background

On August 4, 2021, Commerce published the preliminary results of this administrative review.¹ The review covers 40 producers or exporters of subject merchandise. We invited interested parties to comment on the *Preliminary Results*. A summary of the events that occurred since Commerce published the *Preliminary Results*, as well as a full discussion of the

¹ See *Large Diameter Welded Pipe from Canada: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2018–2020*, 86 FR 41956 (August 4, 2021) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum (PDM).

issues raised by parties for these final results, are discussed in the Issues and Decision

Memorandum.²

Commerce conducted this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Order³

The product covered by this *Order* is large diameter welded pipe from Canada. For a complete description of the scope of the *Order*, see the Issues and Decision Memorandum.

Final Determination of No Shipments

In the *Preliminary Results*, Commerce determined that Canam (St Gedeon) (Canam),⁴ had no shipments during the POR.⁵ As we have received no information to contradict this determination, consistent with our practice, we will instruct U.S. Customs and Border Protection (CBP) to liquidate any existing entries of subject merchandise produced by this company, but exported by other parties, at the rate for the intermediate reseller, if available, or at the all-others rate.

Analysis of Comments Received

All issues raised in the parties' case and rebuttal briefs are addressed in the Issues and Decision Memorandum and are listed in Appendix I to this notice.⁶ The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and

² See Memorandum, "Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review: Large Diameter Welded Pipe from Canada; 2018-2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

³ See *Large Diameter Welded Pipe from Canada: Antidumping Duty Order*, 84 FR 18775 (May 2, 2019) (*Order*).

⁴ In the *Initiation Notice*, this company was listed as Canam (St Gedeon). However, in its certification of no shipments, it noted that Canam (St Gedeon) is a plant location and not its legal name. It also noted that it had recently undergone a corporate restructuring and is now named Canam Group Inc., which is the successor entity to Canam Group Inc. f/k/a Canam Buildings and Structures Inc. See Canam's Letter, "No Shipments Letter for Canam Group Inc. f/k/a Canam Buildings and Structures Inc.," dated August 7, 2020; see also *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 85 FR 41540 (July 10, 2020).

⁵ See *Preliminary Results*, 86 FR 41956-57.

⁶ See Appendix I.

Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://access.trade.gov/public/FRNoticesListLayout.aspx>.

Changes Since the *Preliminary Results*

Based on comments received from interested parties regarding our *Preliminary Results* and our review of the record to address those comments, we made changes to the *Preliminary Results*, as detailed in the Issues and Decision Memorandum.⁷

Rate for Non-Examined Respondents

As we stated in the *Preliminary Results*, the statute and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act.⁸ For the weighted-average dumping margin for non-examined respondents in an administrative review, generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in an investigation.⁹ Under section 735(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding rates that are zero, *de minimis*, or based entirely on facts available. For these final results, we calculated a weighted-average dumping margin for Evraz Inc. NA (Evraz), the sole mandatory respondent, that was not zero, *de minimis*, or based entirely on facts available. Accordingly, consistent with our practice, we applied the weighted-average dumping margin calculated for Evraz as the weighted-average dumping margin for the non-examined companies.¹⁰

⁷ See Issues and Decision Memorandum at Comments 2, 3, 5 and 6.

⁸ See *Preliminary Results*, 86 FR 41957; see also PDM at 4.

⁹ *Id.*

¹⁰ See *Preliminary Results*, 86 FR 41957; see also *Narrow Woven Ribbons with Woven Selvedge from Taiwan; Preliminary Results of Antidumping Duty Administrative Review; 2013-2014*, 80 FR 60627, 60627 (October 7,

Final Results of the Review

As a result of this review, we determine the following weighted-average dumping margins exist for the POR:

Exporter or Producer	Weighted-Average Dumping Margin (percent)
Evraz Inc. NA ¹¹	15.29
Non-Examined Companies ¹²	15.29

Disclosure

Commerce intends to disclose the calculations performed for these final results within five days of the date of publication of this notice in the *Federal Register*, in accordance with 19 CFR 351.224(b).

Assessment Rates

Commerce determined, and CBP shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with these final results of review.¹³

Pursuant to 19 CFR 351.212(b)(1), as Evraz reported that it is the importer of record for all its U.S. sales and it reported the entered value of those sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those sales. Where the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR

2015), unchanged in *Narrow Woven Ribbons with Woven Selvedge from Taiwan; Final Results of Antidumping Duty Administrative Review; 2013-2014*, 81 FR 22578 (April 18, 2016); and *Boltless Steel Shelving Units Prepackaged for Sale from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 80 FR 51779, 51780 (August 26, 2015).

¹¹ In the underlying less-than-fair-value (LTFV) investigation, Commerce determined that Evraz Inc. NA, Evraz Inc. NA Canada, and the Canadian National Steel Corporation (or Corp.) (collectively, Evraz) comprise a single entity. *See Order*. There is no information on the record of this review that warrants reconsideration of this single entity determination. In the *Preliminary Results*, Commerce inadvertently listed the abbreviated name form "Canadian National Steel Corp" in Appendix II as this name form was listed in the *Initiation Notice* separately from the Evraz single entity. As the two names differ only by the abbreviation of Corporation to Corp., we find them to be the same company, and thus, have not listed the abbreviated form in Appendix II of this notice.

¹² *See* Appendix II.

¹³ *See* 19 CFR 351.212(b).

351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Commerce's "automatic assessment" practice will apply to entries of subject merchandise during the POR produced by Evraz for which the company did not know that the merchandise it sold to the intermediary (*e.g.*, a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.¹⁴

For the companies which were not selected for individual examination, we intend to direct CBP to assess antidumping duties at a rate equal to the weighted-average dumping margin determined for those companies in the final results.

For the company that certified it had no shipments, we will instruct CBP to liquidate any existing entries of subject merchandise produced by it, but exported by other parties, at the rate for the intermediate reseller, if available, or at the all-others rate, consistent with Commerce's reseller policy.¹⁵

Commerce intends to issue liquidation instructions to CBP no earlier than 41 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be in effect for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-

¹⁴ For a full discussion of this practice, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

¹⁵ *Id.*

average dumping margin that is established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated or reviewed companies not subject to this review, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of the proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers and exporters will continue to be 12.32 percent *ad valorem*, the all-others rate established in the LTFV investigation.¹⁶

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers Regarding the Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby

¹⁶ See Order.

requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

Notification to Interested Parties

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

Dated: January 28, 2022.

Lisa W. Wang,
Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes to the Preliminary Results
- V. Discussion of the Issues
 - Comment 1: Whether to Apply Partial Adverse Facts Available to Structural Pipe Cost
 - Comment 2: Whether to Revise Certain Affiliated Supplier Adjustments
 - Comment 3: Whether to Correct a Clerical Error Regarding Home Market and U.S. Sales
 - Comment 4: Whether to Recalculate Home Market Credit Expenses Using Invoice Date
 - Comment 5: Whether Antidumping Duty Revenue Is an Addition to Gross Unit Price
 - Comment 6: Whether to Cap Movement-Related Revenues by the Corresponding Expenses
 - Comment 7: Whether Section 232 Duties Can Be Lawfully Deducted from the Export Price
- VI. Recommendation

Appendix II

Companies Not Selected for Individual Examination

1. Aciers Lague Steels Inc
2. Acier Profile SBB Inc
3. Amdor Inc
4. BPC Services Group
5. Bri-Steel Manufacturing
6. Canada Culvert
7. Cappco Tubular Products Canada Inc
8. CFI Metal Inc
9. Dominion Pipe & Piling
10. Enduro Canada Pipeline Services
11. Fi Oilfield Services Canada
12. Forterra
13. Gchem Ltd
14. Graham Construction
15. Groupe Fordia Inc
16. Grupo Fordia Inc
17. Hodgson Custom Rolling
18. Hyprescon Inc
19. Interpipe Inc
20. K K Recycling Services
21. Kobelt Manufacturing Co
22. Labrie Environment
23. Les Aciers Sofatec
24. Lorenz Conveying P
25. Lorenz Conveying Products
26. Matrix Manufacturing
27. MBI Produits De Forge
28. Nor Arc
29. Peak Drilling Ltd
30. Pipe & Piling Sply Ltd
31. Pipe & Piling Supplies
32. Prudential
33. Prudential
34. Shaw Pipe Protecction
35. Shaw Pipe Protection
36. Tenaris Algoma Tubes Facility
37. Tenaris Prudential
38. Welded Tube of Can Ltd

[FR Doc. 2022-02353 Filed: 2/3/2022 8:45 am; Publication Date: 2/4/2022]